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THE FOURTH PAN-AMERICAN CONFERENCE

By PAUL S. REINSCH,

Delegate to the Fourth Pan-American Conference; Professor of Political Science, University of Wisconsin.

The Fourth International Conference of American Republics was held in Buenos Ayres in the months of July and August, 1910. The Argentine capital was the scene of many celebrations and festivities during the last year in connection with the centenary of independence. The main commemorative celebration took place in May and June, at which time special embassies from a great many American and European countries were present. In connection with this celebration a number of international exhibitions were held which extended throughout the year. There was an international art exposition and exhibits of agriculture, transportation, decorative arts, sanitary methods and school administration. Both American and European exhibits were represented in these collections, which gave, however, an opportunity especially for a study of the development of the arts and sciences in the different countries of America. The sessions of the International Conference began after the close of the special commemorative exercises, but the conference itself was a part of this great commemoration of South American independence; and it is certainly a notable and encouraging fact that after one hundred years of independent existence, all the American republics are incorporated in an organization which represents the effort to develop among them the relation of amity and of cultural and economic intercourse. Friendly relations existing among the republics have been disturbed only at rare intervals during this past century, and American international life for that period has been the most peaceful ever recorded for so large an area and for so many independent nations.

The personal composition of the conference is of some interest as indicating the manner in which the countries cause themselves to be represented on such occasions. The honorary presidency of the conference was bestowed upon Mr. Philander C. Knox, the American secretary of state, and Sr. Victorino De La Plaza, the

Argentinian minister of foreign affairs. The latter, a gentleman of wide experience, especially with English and American affairs, opened the conference with an address in which he gave a striking expression to the purposes of the international union. He spoke of the great utility and advantages of these conferences, "which, aside from the opportunity they afford for the elucidation of those matters of common interest which constitute the basis of their programs, draw closer the bonds of union and friendship between nations, all of which are moved by aspirations toward the common ideal of liberty, civilization and progress." When Sr. De La Plaza resigned from the ministry in order to become vice-president of the republic, his successor, appointed *ad interim*, Sr. Larreta, was elected as a third honorary president. The acting president of the conference was Dr. Antonio Bermejo, the chief justice of Argentina. A highly trained jurist especially versed in questions of international law, a judge of long experience, he conducted the sessions of the conference with a quiet dignity and a sure hand. He was effectively assisted by the secretary-general, Sr. Epifanio Portela, who had been for several years Argentinian minister at Washington. The Argentine delegation was made up of men of wide experience and acknowledged ability. Three ex-ministers of foreign affairs, Sr. Montes de Oca, Sr. Larreta, Sr. Zeballos, and a former minister of finance, Sr. Terry, who has since died, represented the official experience; the president-elect of Argentina, Sr. Saenz Peña, was also a delegate, but he did not arrive from Europe until the very end of the conference. The Brazilian delegation was especially brilliant, being headed by Senator Murtinho, one of the most experienced men in Brazilian political life. It included two senators of Sao Paulo, Nogueira and de Freitas, Sr. Da Gama, Brazilian minister in Buenos Ayres, Sr. Da Cunha, who won the hearts of everybody, not only by his brilliant oratory, but through the genial manner in which he entertained his colleagues on all occasions with a wealth of anecdote and reminiscence, and the famous poet, Olavo Bilac, who illustrates in his career the manner in which Brazilians are apt to combine literary and political life. The Chilian delegation also represented a great breadth of experience and ability. Sr. Cruchaga, its president, is the Chilian minister at Buenos Ayres, a man of genial personality; it is characteristic that all of the political parties of Chile were represented on the delegation, which included Sr.

Cruz, the beloved Chilian minister in Washington whose recent death is mourned by all who knew him, Sr. Bello, member of the Second Pan-American Conference and grandson of the first great writer on international law in South America, Sr. Alvarez, counselor of the Chilian foreign office and well-known writer on international law subjects, and Sr. Mathieu. Among the personnel of the Chilian delegation, its assessor, Sr. Phillipi, ought to be specially mentioned, on account of the effective assistance he gave to the conference on one of the most difficult subjects of discussion, the matter of customs regulations. The Cuban delegation was headed by the genial General Garcia Velez; and it counted among its members Sr. Montoro, whose reputation as a great parliamentary orator in the Spanish Cortes has been augmented by his later work and achievements, a man whose rare personal charm and dignity endeared him to all and whose oratorical power, sparingly used by him, is a thing always to be remembered by those who have heard him. The delegation included another speaker of high merit, Sr. Quesada, who was for years minister in Washington and who now represents the Cuban government at Berlin. The other members of the delegation were Sr. Perez, president of the Cuban senate, and General Carbonell, one of the leading authors and editors of the republic. The Mexican delegation represented official experience in the person of Sr. Salado Alvarez, Sr. Ramos Pedrueza and Sr. Esteva Ruiz, while the academic world was represented by Professor Perez Verdia of the University of Guadalajara. Peru had sent the first vice-president of the republic, Sr. Larrabure y Unanue, who was also special ambassador of his country at the centenary celebration; with him were associated the Peruvian minister at Buenos Ayres, Sr. Alvarez Calderon and Sr. Lavalle y Pardo, another gentleman of long diplomatic experience. The head of the delegation of Uruguay was the veteran diplomat, Sr. Gonzalo Ramirez, who has long been looked upon as one of the leading spirits in the development of international law in South America. He was the principal mover in the codification of private international law undertaken by the Congress of Montevideo in 1889. His associates were gentlemen prominent in the political life and the legal profession of their country. The countries here enumerated are those which had larger delegations. The commissioners of those countries which had only one or two delegates similarly illustrate the repre-

sentative character of the assemblage. There were diplomats like Sr. Volio of Costa Rica, Sr. Ancizar of Colombia, Sr. Toledo Herrarte of Guatemala, Dr. Lazo of Honduras, Sr. Porras of Panama and Sr. Mejia of Salvador, while other men represented the legal and medical professions and political experience gained in national congresses, Venezuela was represented by two of her most noted literary men and publicists, Senor Manual Diaz Rodriguez and Senor César Zumeta. From this brief survey of the personnel of the conference, it will be seen that it was representative of the official experience and scientific expertise in political matters within these countries. Though coming from widely different fields of activity and countries separated, not only by distance in space, but divergences in social and economic development, they yet formed a group of men who, as they became acquainted with one another, co-operated in a spirit of frankness and sincere friendship. The personal relations formed upon an occasion like this are of themselves of significance and value. Nuclei of mutual understanding are established and relations begin to grow up by which the different countries are brought much closer together as they learn to mutually understand and sympathize with one another.

The program of the conference had been settled on the basis of instructions by the various governments of the union, by the governing board of the international bureau at Washington. Aside from formal matters of acknowledgment and commemoration, it included the consideration of the following subjects: improvements in the organization of the Pan-American Union, the completion of the Pan-American railway, the establishment of a more rapid steamship service between the republics, uniformity in consular documents and customs regulations, international sanitation, arrangements concerning copyright, patents and trade marks, treaties on the arbitration of pecuniary claims, and the interchange of professors and students among the American universities. The regulations and rules of procedure had also been fixed by the governing board, so that the conference could immediately address itself to the task of working out treaties and resolutions on the subjects of the program. Fourteen committees were appointed, among which the business of the conference was distributed. Thereafter for a while the conference took up only formal matters, giving the committees time and opportunity for a thorough discussion of their respective subjects. The manner in which the conference proceeded was

exceedingly business-like. It did not spend its efforts in spectacular oratory, somewhat to the disappointment of the local press, but it directed itself quietly and persistently to the accomplishment of the purposes before it,—that is to improve, in general bearing and detail, the relations between the republics along the lines determined by the program of the conference.

It is invariably the case that when a conference representing a large number of governments is called together, extravagant expectations are entertained as to what results it can bring about. The layman is apt to look at a conference of this kind as representing the sum of the energies of all the countries concerned. It is, therefore, his expectation that results of striking and immediately effective character should be produced. In the case of the Fourth Conference, too, the outside world feigned disappointment that the radical reform of the entire American world was not immediately to be brought about. The program was criticized as being too narrow, as not allowing full play to the energies thus brought together. This view even found expression on the floor of the conference through the Dominican delegate. But it represents a misconception of the functions of an international conference, which does not represent the utmost that the combined energies of the countries concerned might bring about, but the utmost which they can agree upon with practical unanimity. Its work must, therefore, aim to be entirely practical, based upon ascertained needs of international relations and traffic. The general ideals of American international life, would, of course, also be considered and developed on such occasions; but concrete results can be expected only as detailed and practical improvements are introduced in the machinery of international intercourse.

Working upon this practical basis, the several committees of the conference addressed themselves to questions of detail, leaving aside, for the most part, the rather fruitless field of theoretical discussions. Indeed it may be said that the transactions of the committees were not only highly interesting because of the differences of the points of view and experiences represented, but that they were also notable for the practical sense displayed and the readiness, after thorough discussion, to compromise upon matters of detail. After a few weeks of careful work and intense discussion, all of the committees brought forward drafts of resolutions and treaties

which were then adopted by the conference with practical unanimity. The work of the conference as it lies before us in complete form represents on a number of points a definite advance in the development of American treaty relations. The conference was not called together to originate any new lines of action, but to elaborate further those matters which had already been taken up by former conferences and to introduce such improvements in detail as would make their working more smooth and make them as a whole more acceptable to the American countries. The organization of the international union itself was simplified and improved. The name of the bureau at Washington was changed to "Pan-American Union" in order to recognize the importance gained by this useful institution; the name of the organization in its entirety was changed to the briefer form, "Union of American Republics." A draft convention was elaborated, in which the organization of the union and its functions are laid down in a simple form, so that when ratified this instrument may serve as a constitutional charter. New impulse was given to the further development of the branches of the Pan-American Union which, in the form of Pan-American committees, or commissions, have been established in each one of the countries. Treaties were adopted for the mutual protection of patents, trade marks, and copyrights. These treaties provide for the establishment of registry offices at Havana and at Rio de Janeiro. In the substance of the provisions introduced, with respect to the law of patents and copyrights, they follow the latest European or world-wide experience, embodied in the treaties of Berne, Berlin and Brussels. The treaty for the arbitration for pecuniary claims, which was first adopted at Mexico in 1902 and re-enacted at Rio de Janeiro, was again renewed after very thorough discussion in the committee. Many interesting points of international law arose, as it was suggested by members of the committee that the sovereign authority of the individual states should be safeguarded by providing for arbitration only in case of denial of justice by the local courts. But finally the treaty was adopted in its more general form, a great gain for international arbitration, as every limitation imposed in a treaty would act as an impediment to fullest effectiveness. In matters of sanitation the results of the various sanitary conferences held in the international union since the conference of Rio were approved and the adoption of their recommendations advised. The

latter refer not only to quarantine but also to the effectiveness of sanitation in regions exposed to infectious diseases. On the difficult subject of customs and consular regulations it was possible to arrive at an agreement which, if carried out by the republics, will result in material improvement of the conditions of international commerce. By adopting standard forms for consular documents, a uniform scale as to the amount of consular fees, and recommendations with respect to customs administration, the conference led the way toward the abandonment of methods that, on account of local differences, constitute a serious impediment to commerce in many cases. With respect to the Pan-American railway, the work of the existing permanent committee, headed by ex-Senator Davis, received recognition, and it was resolved that special efforts shall be made to bring to a conclusion this important undertaking through co-operation between the countries concerned.

A subject that appeared for the first time on the program of a Pan-American conference was the interchange of university professors and students. It was felt that such a mutuality of educational life would exercise a beneficent influence on the general relations among the republics of America. American countries would mutually benefit from the scientific experience of one another, as the problems by which they are confronted in their economic and political development, often receive special illustration from what has been achieved in one or the other of these republics. Agencies for the spread of such knowledge and information are important to the welfare of all. But beyond this, the personal relations established through such an interchange of students and teachers would serve to make much closer the bonds of friendship and mutual sympathy which now unite the American nations. Only a first impetus could be given to this matter by the conference, as data were still lacking as to what the educational institutions of the different countries were desirous and able to do in the matter of such an interchange, but resolutions were passed recognizing the desirability of establishing it on a systematic basis. The work done by the Pan-American Scientific Congress, held at Santiago in 1908, was also formally recognized and appreciated, and attention was called to the Second Pan-American Scientific Congress, which is to hold its sessions in Washington in 1912.

The treaties adopted by the Pan-American conference and the
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recommendations put forward by it, require ratification by the different governments before they can fully go into effect. In this connection it is important to remember that the treaties adopted at the conference of Rio in 1906 were all ratified by a large majority of the American states,¹ and are, therefore, in force as to those countries. In this respect the work of the Pan-American conferences has become constantly more effective. The first conferences had to feel their way. The whole world of possible means lay before them, and they had to select those lines of common action which promised effective results. The later conferences, building upon these tentative efforts of the earlier ones, have succeeded in elaborating a system of treaties which has proved in practice acceptable to the American republics. But even in matters upon which treaties have not been directly adopted, the work of the conferences has had a decided influence in affording opportunity for the gathering up of American experience, for the clarifying of opinion, and for the determination as to what line of action it is desirable to pursue and what objects may be striven for with a hope of ultimate success. The conference has become a clearing house of American political experience and opinion, and as it has decided to devote attention to matters of detail, its work will be progressively improved, so that each conference, instead of approaching only new problems, will be carried a step further toward the solution of the difficulties already considered by its predecessors. Comprehensive information, sympathy founded on real mutual understanding, and steady progress in the detailed solution of American problems, all these things are assuredly being realized in the institution known as the Union of American Republics.

Not the least advantage gained from these meetings, however, lies in that mutual knowledge and understanding between the two great branches of the American world, the traditions and history of which had formerly taken separate paths. Upon such well-founded mutual confidence and mutual helpfulness depends the future peace and welfare of our continent, nor are such friendly relations anything but a benefit to the rest of the world.

¹Detailed data on these matters are given in Reinsch, "International Unions," ch. 3 (Ginn & Co., 1911).